

112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William R. Fiehler Examiner: to be assigned

SERIAL NO.: to be assigned Group: to be assigned

FILED: HEREWITH (March 9, 2001)

FOR: A METHOD AND APPARATUS FOR DISPENSING SEPARATOR
GEL IN A BLOOD COLLECTION TUBE

Assistant Commissioner for Patents
Washington, D.C. 20231

UC912 U.S. PTO
09/803570
03/09/01

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items can be found in parent application Serial No. 08/762,358 filed on December 9, 1996.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10)

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as EXPRESS MAIL (LABEL # EK 129 211 803 US), postpaid in an envelope, addressed to the: Assistant Commissioner of Patents, Washington, D.C. 20231 on March 9, 2001.

Carmen M. Constantinescu

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00.
(37 C.F.R. § 1.17(I)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. 50-0369.
- ☐ Enclosed by check is the \$240.00 fee required by 37 C.F.R. § 1.17(p).
- ☐ Please charge the \$240.00 fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. 50-0369.

- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-0369. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17 are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No 50-0369 therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of this application are respectfully requested.

Date: March 9, 2001

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "P. Sorell", is written over a horizontal line.

Peter B. Sorell, Esq.

Reg. No. 44,349

Attorney for Applicant(s)

BROWN, RUDNICK, FREED & GESMER, PC
One Financial Center
Boston, MA 02111
Tel.: (617) 856-8374
Fax: (617) 856-8201
Email: psorell@brfg.com

#998649 v11 - constam - l#k901.doc - 20518/6